

Government Policies and Legislation relating to students with disabilities

Inclusive education within Education Queensland:

- fosters a learning community that questions disadvantage and challenges social injustice
- maximises the educational and social outcomes of all students through identification and reduction of barriers to learning, especially for those who are vulnerable to marginalisation and exclusion
- ensures all students understand and value diversity so that they have the knowledge and skills for positive participation in a just, equitable and democratic global society (Education Queensland, 2005).

There are State and Commonwealth laws that protect people with disabilities and their families from discrimination and harassment.

1. The Commonwealth Disability Discrimination Act (DDA) provides protection for everyone in Australia against discrimination based on disability.

2. The Disability Standards for Education 2005 is subordinate legislation which clarifies the obligations of education and training service providers and the rights of people with a disability under the DDA. The standards give students and prospective students with a disability the right to education and training opportunities on the same basis as students without a disability. Education providers have an obligation to make changes to reasonably accommodate the needs of a student with a disability.

3. Under ACARA guidelines students with learning disabilities/difficulties are also supported by the SEP. They should also be offered adjustments in the same way as students with disabilities.

The guidelines state:

Some students may not reach the standards at the same time as their peers, but will still follow the same sequence of learning. As students' progress along this sequence, adjustments may be required to align the assessment strategies with the intended learning. This means also that where a student is being taught content from a year level of the Australian Curriculum that is different to that of their peers, they should be assessed against the relevant achievement standard for the year level at which they are being taught.

(<http://www.australiancurriculum.edu.au/Curriculum/Special-education-needs>)

In order to comply with the expectations outlined by federal and state legislation, it is crucial that the Department of Education and Training's processes for identifying and responding to the needs of students with a disability are complied with, and that additional plans and reasonable adjustments are developed and implemented as a means of support.